

MODULE I

STANDARD PERMIT CONDITIONS

I.A. EFFECT OF PERMIT

- I.A.1. The Permittee is allowed to store hazardous waste in containers, treat and store hazardous waste in tanks, treat waste in miscellaneous units, and treat hazardous waste in incinerators at the CAMDS Facility in accordance with the conditions of this permit and in accordance with R315-5.
- I.A.2. Metal emissions from all sources shall be within the limits demonstrated to be safe using the Health Risk Assessment. Feed rates to the incinerators shall be set at levels that are in accordance with demonstrated performance standards as found in R315-8.15.4.
- I.A.3. Any treatment, storage, or disposal of hazardous waste not authorized in this permit, or any other RCRA permits is prohibited.
- I.A.4. Pursuant to R315-3-13, compliance with this permit generally constitutes compliance, for purposes of enforcement, with the Utah Solid and Hazardous Waste Act and RCRA, as amended by HSWA, except for those requirements, which become effective by statute, or future regulatory changes to include those requirements promulgated under R315-13 restricting the placement of hazardous wastes in or on the land.
- I.A.5. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of State or local law or regulations.

I.B. ENFORCEABILITY

Violations duly documented through the enforcement process and upheld through judicial action, pursuant to Utah Solid and Hazardous Waste Act, UAC19-6-113, may result in penalties assessed in accordance with R315-102.

I.C. OTHER AUTHORITY

The Board expressly reserves any right of entry provided by law and any authority to order or perform emergency or other response activities as authorized by law.

I.D. PERMIT ACTIONS

- I.D.1. This permit may be modified, revoked and reissued, or terminated for cause, as specified in R315-3-15. and R315-3-16.
- I.D.2. The filing of a request for a permit modification, revocation and reissuance, or termination, or the notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition.

- I.D.3. The Executive Secretary may modify this permit when the standards or regulations on which the permit was based have been changed by statute, amended standards or regulations, or by judicial decision after the effective date of this permit.
- I.D.4. Except as provided by specific language in this permit or except for the Executive Secretary's approval of a permit modification [in accordance with R315-3-15(d)], any approved modification or change in design or operation of the CAMDS Facility or any approved modification or change in a hazardous waste management practice covered by this permit shall be administered as a permit modification prior to such change taking place (in accordance with R315-3-15 and R315-3-17).
- I.E. **SEVERABILITY**
- The provisions of this permit are severable and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby. Invalidation of any State or federal statutory or regulatory provision, which forms the basis for any condition of this permit, does not affect the validity of any other State or federal statutory or regulatory basis for said condition.
- I.F. **DUTIES TO COMPLY**
- I.F.1. The Permittee shall comply with all conditions of this permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit issued in accordance with R315-3-10(a) and R315-3-19. Any permit noncompliance, other than noncompliance authorized by an emergency permit, constitutes a violation of the Utah Solid and Hazardous Waste Act, and is grounds for enforcement action; permit termination, revocation and reissuance, or modification of the permit; or denial of a permit renewal application.
- I.F.2. Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under Sections 3007, 3008, 3013, or 7003 of RCRA (42 U.S.C. Sections 6927, 6928, 6934 and 6973), Section 106(a), 104, or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9606(a), commonly known as CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), or any other State or federal law providing for protection of public health or the environment from any imminent and substantial endangerment to human health or the environment.
- I.G. **DUTY TO REAPPLY**
- A minimum of one hundred eighty (180) calendar days prior to the expiration date of this permit, if the Permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the Permittee shall reapply and obtain a new permit, in accordance with R315-3-10(b) and R315-3-3(e).

I.H. **PERMIT EXPIRATION**

This permit shall be effective for ten (10) years from the effective date of this permit.

I.I. **CONTINUATION OF EXPIRING PERMIT**

This permit and all conditions herein shall continue in force until the effective date of a new permit, if the Permittee has submitted a timely and complete application (in accordance with R315-3), and through no fault of the Permittee, the Executive Secretary has neither issued or denied a new permit under R315-3-11 on or before the expiration date of this permit.

I.J. **NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE**

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

I.K. **DUTY TO MITIGATE**

In the event of noncompliance with the permit, the Permittee shall take all reasonable steps to minimize releases to the environment resulting from the noncompliance, and shall carry out such measures as are reasonable, to prevent significant adverse impacts on human health or the environment.

I.L. **PROPER OPERATION AND MAINTENANCE**

The Permittee shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary equipment or similar systems only when necessary to achieve compliance with the conditions of this permit.

I.M. **DUTY TO PROVIDE INFORMATION**

The Permittee shall furnish to the Board and the Executive Secretary, within a reasonable time, any relevant information which the Board or the Executive Secretary may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Board and the Executive Secretary upon request, copies of records required to be kept by this permit.

I.N. **INSPECTION AND ENTRY**

I.N.1 Pursuant to the Utah Solid and Hazardous Waste Act, UAC 19-6-109, the Permittee shall allow the Board, the Executive Secretary, or their authorized officer, employee, or

representative, upon the presentation of credentials and other documents, as may be required by law, to:

- I.N.1.a Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records are kept as required by the conditions of this permit;
- I.N.1.b Have access to and copy, at reasonable times, any records that are kept as required by the conditions of this permit;
- I.N.1.c Inspect at reasonable times any portion of the Facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- I.N.1.d Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Utah Solid and Hazardous Waste Act or RCRA, any substances or parameters at any location.
- I.N.2 The Executive Secretary, or an appointed representative, shall be allowed to make record of inspections by photographic, electronic, videotape, or any other reasonable medium. A written request for a permit for this purpose will be provided.

I.O. **MONITORING AND RECORDS**

- I.O.1. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings (or equivalent recordings) for continuous monitoring instrumentation, copies of all reports required by this permit, the certification required by R315-8-5.3. (40 CFR Section 264.73(b)(9) incorporated by reference), and records of all data used to complete the application for this permit for a period of at least three (3) years from the date of the sample, measurement, report, certification, or recording unless a longer retention period for certain information is required by other conditions of this permit. These periods may be extended by request of the Executive Secretary at any time by written notification to the Permittee and the retention times are automatically extended during the course of any unresolved enforcement action regarding the CAMDS Facility to three (3) years beyond the conclusion of the enforcement action.
- I.O.2. Pursuant to R315-3-10(j), records of monitoring information shall specify:
 - I.O.2.a The date(s), exact place, and times of sampling or measurements;
 - I.O.2.b The name(s), title(s), and affiliation of individual(s) who performed the sampling or measurements;
 - I.O.2.c The date(s) analyses were performed;
 - I.O.2.d The individual(s) who performed the analyses;
 - I.O.2.e The analytical techniques or methods used; and

- I.O.2.f The results of such analyses, including the Quality Control/Quality Assurance summary.
- I.O.3. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed shall be the appropriate method from R315-50-6 (Appendix I, 40 CFR Part 261) or an equivalent method approved by the Executive Secretary. Laboratory methods shall be those specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846 (Third Edition, November 1986; or prevailing edition) (hereafter, referred to as SW-846), Standard Methods of Wastewater Analysis (16th Edition, 1985; or prevailing edition), or other alternate methods approved in this permit, or an equivalent method in accordance with Condition I.O.4.
- I.O.4. The Permittee shall substitute analytical methods, which are equivalent, or superior to those specifically approved for use in this permit in accordance with the following:
- I.O.4.a The Permittee submits to the Executive Secretary a request for substitution of analytical methods(s) which is equivalent to the method(s) specifically approved for use in this permit. The request shall provide information demonstrating that the proposed method(s) requested to be substituted in terms of sensitivity, accuracy, and precision (i.e., reproducibility).
- I.O.4.b The Permittee must receive a written approval from the Executive Secretary for the substitution of the analytical method(s). Such approval shall not require a permit modification under R315-3-15.
- I.P. **REPORTING PLANNED CHANGES**
- As soon as possible, but not to exceed thirty (30) calendar days prior to any planned physical alteration or addition, the Permittee shall give notice to the Executive Secretary of such planned physical alterations or additions to the permitted CAMDS Facility.
- I.Q. **REPORTING ANTICIPATED NONCOMPLIANCE**
- The Permittee shall give advance notice to the Executive Secretary of any planned changes in the permitted CAMDS Facility or activity, which may result in noncompliance with requirements of this permit. Advanced notice shall not constitute a defense for any noncompliance.
- I.R. **CERTIFICATION OF CONSTRUCTION OR MODIFICATION**
- I.R.1. The Permittee may not commence storage, treatment, or disposal of hazardous waste in any newly permitted hazardous waste management system or in a modified portion of an existing permitted hazardous waste management unit until the Permittee has submitted to the Executive Secretary by certified mail, express mail, or hand delivery a letter signed by the Permittee and a registered professional engineer certifying that the permitted unit(s) at the CAMDS Facility has been constructed or modified in compliance with this permit; and

- I.R.2. The Executive Secretary has reviewed and inspected the modified or newly constructed unit(s) and has notified the Permittee in writing that the unit(s) were found in compliance with the conditions of this permit; or
- I.R.3. If within fifteen (15) calendar days of the date of submission of the letter in Condition I.R.1., the Permittee has not received notice from the Executive Secretary, of the intent to inspect, prior inspection is waived and the Permittee may commence treatment, storage, or disposal of hazardous waste in the permitted unit certified in accordance with Condition I.R.1.

I.S. **TRANSFER OF PERMIT**

This permit shall be transferred to a new owner or operator only if it is modified or revoked and reissued pursuant to R315-3-15. and R315-3-14. Prior to transferring ownership or operation of the CAMDS Facility during its operating life, the Permittee shall notify the new owner or operator, in writing, of the requirements of R315-3, R315-8, and this permit.

I.T. **TWENTY-FOUR HOUR REPORTING**

- I.T.1. In accordance with R315-3-10(1)(6), the Permittee shall verbally report to the Executive Secretary any noncompliance with this permit which may endanger human health or the environment. Any such information shall be reported as soon as possible, but not later than twenty-four (24) hours from the time the Permittee becomes aware of the noncompliance. The Permittee shall verbally report to both the Executive Secretary and EPA Region VIII. Potential endangerment to human health and the environment shall include, but not be limited to:
- I.T.1.a. non compliance with permit condition II.A.1.
- I.T.1.b. any release to the environment of a "P999" hazardous waste as listed in R315-2-11(e)(1) (chemical agents, i.e., GA, GB, H, HD, and HT) or a "F999" hazardous waste as listed in R315-2-10(d) (chemical agent residues) which results in the following:
- I.T.1.b.1 agent concentrations, which are confirmed to exceed the Short Term Exposure Limit (STEL) specified in Table 8-3 at any agent monitor within a CAMDS Facility area outside of air filtration system control.
- I.T.1.c. any release to the atmosphere from the stack for the Liquid Incinerator, the Deactivation Furnace, and the Metal Parts Furnace, if the confirmed stack emission level exceeds the maximum allowable stack concentration, identified for each individual agent in Table 8-3.
- I.T.1.d. any non-confirmed indication that a release to the atmosphere from the stack for the Liquid Incinerator, the Deactivation Furnace, and the Metal Parts Furnace, or from any stack for the air filtration system, if the non-confirmed stack emission level cannot be verified that the level is a result of an agent monitor anomaly within twenty-four (24) hours of the time in which the agent monitor indicated the stack emission level exceeded the maximum allowable stack concentration identified for each individual agent in Table 8-3.

- I.T.1.e. any release to the atmosphere from the stack for the air filtration system if the emission level exceeds the Short Term Exposure Limit (STEL) level identified for each individual agent in Table 8-3.
- I.T.1.f. any non-confirmed indication that a release to the atmosphere from any stack for the air filtration system, if the non-confirmed stack emission level cannot be verified that the level is a result of an agent monitor anomaly within twenty-four (24) hours of the time in which the agent monitor indicated the stack emission level exceeded the STEL level identified for each individual agent in Table 8-3.
- I.T.2. In accordance with R315-9, the Permittee shall verbally report to the Executive Secretary any CAMDS Facility spill of any hazardous waste listed in R315-2-11(e) ("P" wastes) if the spilled quantity exceeds one (1) kilogram or a lesser amount if there is a potential endangerment to human health or the environment. Any such information shall be reported as soon as possible, but not later than twenty-four (24) hours from the spill occurrence.
- I.T.3. In accordance with R315-9, the Permittee shall verbally report to the Executive Secretary any CAMDS Facility spill of any hazardous waste or material which, when spilled becomes a hazardous waste, other than a hazardous waste listed in R315-2-11(e), if the spilled quantity exceeds one hundred (100) kilograms or a lesser amount if there is a potential for endangerment to human health or the environment. Any such information shall be reported as soon as possible, but not later than twenty-four (24) hours from the spill occurrence.
- I.T.4. The immediate and twenty-four (24) hour verbal report shall include, but not be limited to, the following:
 - I.T.4.a Information concerning the release of any hazardous waste which may endanger public drinking water supplies, and
 - I.T.4.b. Any information of a release or discharge of hazardous waste, or of a fire or explosion at the CAMDS Facility, which could threaten the environment or human health.
 - I.T.4.c. The description of the occurrence and its cause shall include:
 - I.T.4.c.1 Name, title, and telephone number of individual reporting;
 - I.T.4.c.2 Name, address, and telephone number of the owner or operator;
 - I.T.4.c.3 Name, address, and telephone number of the CAMDS Facility;
 - I.T.4.c.4 Date, time, and type of incident;
 - I.T.4.c.5 Location and cause of incident;
 - I.T.4.c.6 Name and quantity of materials involved;
 - I.T.4.c.7 The extent of injuries, if any;

- I.T.4.c.8 An assessment of actual or potential hazard to the environment and human health, where this is applicable;
- I.T.4.c.9 Description of any emergency action taken to minimize threat to human health and the environment;
- I.T.4.c.10 Estimated quantity and disposition of recovered material that resulted from the incident; and
- I.T.4.c.11 Any other information necessary to fully evaluate the situation and to develop an appropriate course of action.
- I.T.5. Within five (5) calendar days of the time the Permittee is required to provide verbal notification, as specified in Conditions I.T.1. through I.T.4., the Permittee shall provide to the Executive Secretary (and the Administrator for Condition I.T.1. circumstances only) a written submission.
 - I.T.5.a. The written submission shall include, but not be limited to the following:
 - I.T.5.a.1 Name, address, and telephone number of the individual reporting;
 - I.T.5.a.2 A description (include cause, location, extent of injuries, if any, and an assessment of actual or potential hazard to the environment and human health outside the CAMDS Facility and/or the Facility, where this is applicable) of the incident (noncompliance and/or release)
 - I.T.5.a.3 The period(s) in which the incident (noncompliance and/or release) occurred (including exact dates and times);
 - I.T.5.a.4 Whether the results of the incident remain a threat to human health and the environment (whether the noncompliance has been corrected and/or the release has been adequately cleaned up); and
 - I.T.5.a.5 If not, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and/or the steps taken or planned to adequately clean up the release.
 - I.T.5.b. The Permittee need not comply with the five (5) calendar day written notice requirement if the Executive Secretary waives the requirement and the Permittee submits a written report within fifteen (15) calendar days from the time the Permittee is required to provide verbal notification, as specified in Conditions I.T.1. through I.T.4.
 - I.T.5.c. The Permittee will report to the Executive Secretary all Army defined “Chemical Events” in which agent is released in an area rated less than category B (i.e., C through E) to the environment at or above the alarm set point concentration listed in Table 8-3 for any period of time. The report will be made as soon as possible but no later than twenty-four (24) hours from the time the Permittee becomes aware of the event. Only the 24 hours notification is required unless additional reporting is required under condition I.T.1.

I.U. **OTHER NONCOMPLIANCE**

The Permittee shall report all other instances of noncompliance not otherwise required to be reported in the permit in accordance with Condition I.T., at the time monitoring reports are submitted. The reports shall contain the information listed in Condition I.T. Reporting shall not constitute a defense for any noncompliance.

I.V. **OTHER INFORMATION**

Whenever the Permittee becomes aware that it failed to submit any relevant facts in the permit application or submitted incorrect information in a permit application or in any report submitted to the Executive Secretary, the Permittee shall promptly submit such facts or corrected information to all appropriate persons.

I.W. **SIGNATORY REQUIREMENT**

All applications, reports, or other information requested by or submitted to the Executive Secretary shall be signed and certified in accordance with R315-3-8 and R315-3-10(k).

I.X. **CONFIDENTIAL INFORMATION**

In accordance with Utah Code Annotated 63-2-308 et seq, and R277-103 the Permittee may claim confidential any information required to be submitted pursuant to this permit.

I.Y. **REPORTS, NOTIFICATIONS, AND SUBMISSIONS**

- I.Y.1. All reports, notifications, or other submissions, which are required by this permit to be sent or given to the Executive Secretary, should be sent by certified mail, express mail, or hand delivered to:

Division of Solid and Hazardous Waste
288 North 1460 West
P.O. Box 144880
Salt Lake City, Utah 84114-4880
(801)-538-6170

Utah Department of Environmental Quality 24-Hour Answering Service telephone number is: (801) 536-4123 or 800-424-8802.

- I.Y.2. All reports, notifications, or other submissions, which are required by this permit to be sent or given to the Administrator, should be sent by certified mail, express mail, or hand delivered to EPA Region VIII.

U.S. Environmental Protection Agency
State and Tribal Assistance Office
999 18th Street
Suite 500
Denver, Colorado 80202-2455

Twenty-four (24) hour number: 303-293-1788

I.Z. DOCUMENTS TO BE MAINTAINED AT THE FACILITY SITE

- I.Z.1 The Permittee shall maintain at the Facility, until closure is completed and certified by an independent, registered engineer, the following documents and amendments, revisions and modifications to these documents:
- I.Z.1.a Waste Analysis Plan (Attachment 2), as required by R315-8-2.4. and this permit.
- I.Z.1.b Inspection Plan (Attachment 5), as required by R315-8-2.6(b) and this permit.
- I.Z.1.c Training Plan (Attachment 7), documents, and records, as required by R315-8-2.7(d) and this permit.
- I.Z.1.d Contingency Plan (Attachment 9), as required by R315-8-4 and this permit.
- I.Z.1.e Operating record, as required by R315-8-5.3. and this permit.
- I.Z.1.f Closure Plan (Attachment 10), as required by R315-8-7.3. and this permit.
- I.Z.1.g Independent tank system assessment, installation, and repair certifications; as required by R315-8-7.3. (40 CFR Sections 264.193 and 264.196 incorporated by reference).